

Appl. No.: 09/852,799
Amendment dated: July 27, 2005
Reply to Office Action of: May 27, 2005

REMARKS

The office action of May 27, 2005 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 14-21 remain in this application. Claims 1-13 and 22-25 have been canceled without prejudice or disclaimer as they are being prosecuted in continuation applications. New claim 26 has been added to further define the invention. No new matter has been entered.

This amendment is believed to place the application in condition for allowance or better form for appeal.

Rejection of Claims Over Windows Pen SDK

Claims 17-21 stand rejected under 35 U.S.C. § 102(b) over Windows Pen SDK. Applicants traverse.

Claim 17 as pending recites:

“ a first portion having a tag representing an identification of
a type of tag data;
a second portion identifying a size of said tag data, said size
portion permitting said computer to skip over said tag data;
a third portion having said tag data...”

Windows Pen SDK, according to the Examiner, discloses the first portion as the *peninfo* field and the second portion as the *cbSizeUsed* field. Contrary to the Examiner's assertion, there is no disclosure in the Windows Pen SDK that indicates that a computer may skip over the tag data. In fact, what the Examiner suggests is the tag itself (the *peninfo* field) is after what the Examiner asserts is the tag data (the *cStrokes* field). Accordingly, the computer would have already read the tag data before it would have had the option of skipping the tag data based on the information in the tag field (the *peninfo* field). Accordingly, claim 17 is allowable over Windows Pen SDK.

Claim 18-21 are similarly allowable as they include similar recitations.

Appl. No.: 09/852,799
Amendment dated: July 27, 2005
Reply to Office Action of: May 27, 2005

Rejection of Claims Over Windows Pen SDK in view of Anderson

Claims 14-16 stand rejected over Windows Pen SDK in view of Anderson. Applicants traverse.

Claim 14 recites:

“ a first portion having a tag representing an identification of a type of tag data;
a second portion identifying a size of said tag data, said size portion permitting said computer to skip over said tag data;
a third portion having said tag data ...”

The Examiner relies on the Windows Pen SDK to show the above recitations. The Examiner relies on Anderson for other reasons. As asserted above, the Windows Pen SDK fails to disclose or teach or suggest the claim as drafted. Anderson also fails to teach or suggest the above recitations. As the combination fails to teach or suggest claim 14, it is believed allowable over the combination. Claims 15 and 16 are also believed allowable for similar reasons.

New Claim 26

Applicants have added new claim 26 to more particularly point out aspects of the claimed invention in light of the above assertions of the order of the claimed “portions.” No new matter has been entered.

Appl. No.: 09/852,799
Amendment dated: July 27, 2005
Reply to Office Action of: May 27, 2005

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.


All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: July 27, 2005

By:


Christopher R. Glembocki
Registration No. 38,800

1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001